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7 USA, Plaintiff,
8 v.
9 BRANDON SIMPSON,
10 Defendant.
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12 Case No. 16-cr-00005-CRB-1 (JSC)
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DETENTION ORDER

15 Re: Dkt. No. 6
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18 On January 5, 2016, defendant Brandon Simpson was charged by federal indictment with
19 one count of being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g).
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22 This matter came before the Court on January 22 2016, for a detention hearing. Defendant
23 Simpson was present and represented by Ellen Leonida, Assistant Federal Public Defender.
24 Assistant United States Attorney Katherine Wawrzyniak appeared for the government.
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26 Upon consideration of the facts, proffers and arguments presented, and for the reasons
27 stated on the record, the Court finds by clear and convincing evidence that no condition or
28 combination of conditions will reasonably assure the safety of other persons and the community.
Accordingly, Defendant will be detained pending trial in this matter.

The present order supplements the Court's findings and order at the detention hearing and
serves as written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1).
As noted on the record, the Court makes the following findings as a basis for its conclusion that no
condition or combination of conditions will reasonably assure the safety of other persons.

Defendant has a lengthy criminal history, beginning when he was 16 years old. Although
he is presently only 24 years old, he has suffered four adult felony convictions and five adult
misdemeanors, many committed while he was already on probation for another conviction.

1 Further, the release condition proposed by Defendant—that he live with his mother—is the same
2 condition in existence at the time he acquired his lengthy criminal record. The Court is not
3 satisfied that the addition of sureties on an unsecured bond will cause Defendant to change his
4 conduct given that even being on probation has not caused Defendant to refrain from criminal
5 conduct. The circumstances of Defendant's arrest on the present charge, as proffered by the
6 government at the hearing, as well as Defendant's long-term unemployment, further supports the
7 Court's finding that no condition or combination of conditions will reasonably assure the safety of
8 other persons. These findings are made without prejudice to the defendant's right to seek review
9 of his detention should new information arise.

10 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

- 11 1. Defendant Simpson is committed to the custody of the Attorney General for
12 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or
13 serving sentences or being held in custody pending appeal;
- 14 2. Defendant be afforded reasonable opportunity for private consultation with
15 counsel; and
- 16 3. On order of a court of the United States or on request of an attorney for the
17 government, the person in charge of the corrections facility in which the defendant is confined
18 shall deliver the defendant to an authorized United States marshal for the purpose of any
19 appearance in connection with a court proceeding.

20 **IT IS SO ORDERED.**

21 Dated: January 22, 2016

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JACQUELINE SCOTT CORLEY
United States Magistrate Judge